



STANDARDS OF APPRENTICESHIP
adopted by

**NORTHWEST INDEPENDENT CONTRACTORS ASSOCIATION
APPRENTICESHIP COMMITTEE**

<u>Skilled Occupational Objective(s):</u>	<u>(sponsor)</u>	<u>DOT and/or SOC</u>	<u>Term</u>
CARPET, LINOLEUM & SOFT TILE LAYER		864.481-010	8000 HOURS



APPROVED BY
Washington State Apprenticeship and Training Council
REGISTERED WITH
Apprenticeship Section of Specialty Compliance Services Division
Washington State Department Labor and Industries
Post Office Box 44530
Olympia, Washington 98504-4530

APPROVAL:

OCTOBER 24, 2005

Initial Approval

Committee Amended

Standards Amended (review)

Standards Amended (administrative)

By: MELINDA NICHOLS
Chair of Council

By: PATRICK WOOD
Secretary of Council

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The Washington State Apprenticeship and Training Council (WSATC) has the authority to develop, administer, and enforce apprenticeship program standards (Standards) for the operation and success of an apprenticeship and training program in the State of Washington.

Apprenticeship programs and committees function, administer, or relinquish authority only with the consent of the WSATC and only apprentices registered with the supervisor or recognized under the terms and conditions of a reciprocal agreement will be recognized by the WSATC.

Parties signatory to these Standards declare their purpose and policy is to establish and sponsor an organized system of registered apprenticeship training and education.

These Standards are in conformity and are to be used in conjunction with the Apprenticeship Rules, Chapter 296-05 WAC (Washington Administrative Code); Apprenticeship Act, Chapter 49.04 RCW (Revised Code of Washington); The National Apprenticeship Act, 29 U.S.C. (United States Code) 50; Apprenticeship Programs, Title 29 Part 29 CFR (Code of Federal Regulations); and Equal Employment Opportunity in Apprenticeship and Training, Title 29 Part 30 CFR which govern employment and training in apprenticeable occupations. They are part of this apprenticeship agreement and bind all signers to compliance with all provisions of registered apprenticeship. Additional information may need to be maintained by the program that is supplemental to these apprenticeship standards. This information is for purposes of ensuring compliance with decisions of the WSATC and the apprenticeship laws identified above.

If approved by the council, such amendment/s and such changes as adopted by the council shall be binding to all parties. Sponsors shall notify apprentices of changes as they are adopted by the council. If and when any part of these Standards becomes illegal, as pertains to federal and/or state law, that part and that part alone will become inoperative and null and void, and the Department of Labor and Industries (L&I) may adopt language that will conform to applicable law. The remainder of the Standards will remain in full force and effect.

See WAC 296-05-003 for the definitions necessary for use with these Standards.

The following Standards of apprenticeship, Northwest Washington Carpet, Linoleum & Soft Tile Layers with supplements pertaining to the necessary work experience of the trade and a progressive wage scales will, then approved by and registered with the Registration Agency, govern the training of apprentices in this industry. These Standards were developed by the Northwest Washington Carpet, Linoleum & Soft Tile Layers.

I. GEOGRAPHIC AREA COVERED:

The sponsor has no authority to conduct training outside of the geographical area covered by these Standards. The sponsor may enter into an agreement (portability agreements – see WAC 296-05-303(3)) with other apprenticeship committees for the use of apprentices by training agents that are working outside their approved geographic area. Also, if a reciprocity agreement (see WAC 296-05-329) is in place, the out-of-state sponsor may use their registered apprentices. The sponsor will ensure compliance with the provisions of any agreement recognized by the WSATC.

Entire State of Washington, headquarters in Grant County.

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II. MINIMUM QUALIFICATIONS:

Minimum qualifications must be clearly stated and applied in a nondiscriminatory manner (see WAC 296-05-316).

- Age: **Minimum age of 18 years.**
- Education: **Applicants should have GED or high school diploma.**
- Physical: **Be physically able to perform the work of the trade.**
- Testing: **None**
- Other: **Applicants shall have a valid Washington State driver's license.**

III. CONDUCT OF PROGRAM UNDER WASHINGTON EQUAL EMPLOYMENT OPPORTUNITY PLAN:

Sponsors with five (5) or more apprentices must adopt an Equal Employment opportunity (EEO) Plan and Selection Procedures (see Part D of Chapter 296-05 WAC and 29 CFR Part 30).

The recruitment, selection, employment and training of apprentices during their apprenticeship shall be without discriminating because of race, sex, color, religion, national origin, age disability or as otherwise specified by law. The sponsor shall take positive action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required by the rules of the Washington State Apprenticeship and Training council and Title 29, Part 30 of the code of Federal Regulations. (WAC 296-05-316(3)).

A. Selection Procedures:

1. **The Northwest Independent Contractors Association Apprenticeship is not a referral agency for apprentices.**
2. **All persons desiring apprenticeship training under the Northwest Independent Contractors Association apprenticeship program shall make application to an employer approved by the apprenticeship committee, and on becoming employed, and on the recommendation of the employer, will submit their application to the Apprenticeship Committee to be reviewed.**
3. **If the applicant meets the minimum requirements, the applicant shall then be evaluated by the Apprenticeship Committee and placed in the program in the proper work experience and wage progression period.**

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The Apprenticeship Committee shall then register the apprentice with the Washington State Apprenticeship and Training Council.

- 4. All employers hiring apprentices must sign a compliance form agreeing to be bound by the Affirmative Action program contained in these standards.**
- 5. For a listing of current training agents, contact the apprentice coordinator at PO Box 207, Ephrata, WA 98823.**

B. Equal Employment Opportunity Plan:

- 1. Cooperate with School Boards, Community Colleges, and Vocational Schools to develop programs, which prepare students for entrance into apprenticeship.**
- 2. Disseminate information, within shops or concerns, concerning equal opportunity policies of the programs sponsor(s).**
- 3. Grant credit for previous trade experience or trade related course for all applicants equally.**

Discrimination Complaints.

Any apprentice or applicant for apprenticeship who believes they have been discriminated against may file a complaint (WAC 296-05, Part D).

IV. TERM of APPRENTICESHIP:

The minimum term of apprenticeship must not be less than 2000 hours or 12 months of work experience in each occupation identified in these Standards as apprenticeable. The term of apprenticeship must be stated in hours or months of employment.

The term of apprenticeship shall be 8000 hours of work experience.

V. INITIAL PROBATIONARY PERIOD:

All apprentices are subject to an initial probationary period, stated in hours or months of employment for which they receive full credit toward completion of apprenticeship. Advance credit/standing will not reduce the initial probationary period. The initial probationary period:

- Is the period following the apprentice's acceptance into the program and during which the apprentice's appeal rights are impaired. The initial probation must not exceed twenty percent of the term of apprenticeship

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unless an exemption by the WSATC has been granted for longer probationary periods as specified by Civil Service or law.

- Is the period that the WSATC or the supervisor of apprenticeship may terminate an apprenticeship agreement at the written request by any affected party. The sponsor or the apprentice of the apprenticeship agreement may terminate the agreement without a hearing or stated cause. An appeal process is available to apprentices who have completed the initial probationary period.

The initial probationary period shall be the first 1500 hours of work.

VI. RATIO OF APPRENTICES TO JOURNEY LEVEL WORKERS:

Supervision is the necessary education, assistance, and control provided by a journey-level employee that is on the same job site at least seventy-five percent of each working day, unless otherwise approved by the WSATC. The sponsor will assure that apprentices are under the supervision of competent and qualified journey-level workers on the job who are responsible for the work being performed, to ensure safety and training in all phases of the work. Apprentices will work the same hours as journey-level workers, EXCEPT where such hours may interfere with related/supplemental instruction. (see WAC 296-05-316(5)).

Not to exceed 1 apprentice per 1 journey-level worker per Training Agent jobsite.

VII. APPRENTICE WAGES and WAGE PROGRESSION:

The apprentice will be paid a progressively increasing schedule of wages based on specified percentages of journey-level wage consistent with skills acquired. These may be indicated in hours or monthly periods set by the sponsor. The entry wage will not be less than the minimum wage prescribed by the Fair Labor Standards Act, where applicable, unless a higher wage is required by other applicable federal law, state law, respective regulations, or by collective bargaining agreement.

The sponsor may accelerate, by an evaluation process, the advancement of apprentices who demonstrate abilities and mastery of the occupation to the level for which they are qualified. When the apprentice is granted advanced standing the sponsor must notify the employer/training agent of the appropriate wage per the wage progression schedule specified in these Standards.

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Step	Number of hours/months	Percentage of journey-level rate
1	0000 - 1000 hours	45%
2	1001 - 2000 hours	50%
3	2001 - 3000 hours	60%
4	3001 - 4000 hours	70%
5	4001 - 5000 hours	80%
6	5001 - 6000 hours	85%
7	6001 - 7000 hours	90%
8	7001 - 8000 hours	95%

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VIII. WORK PROCESSES:

The apprentice shall receive on the job instruction and experience as is necessary to become a qualified journey-level worker versed in the theory and practice of the occupation covered by these Standards. The following is a condensed schedule of work experience, which every apprentice shall follow as closely as conditions will permit.

Employers/training agents shall only use registered apprentices to perform the work processes as stated in this section. (WAC 296-05-003 - Definitions)

During the apprenticeship, the apprentice shall receive instruction and work experience in all segments of carpet, vinyl, linoleum, plastic laminate, and resilient tile work, including the preparation of material, and all sub-surfaces to receive floor coverings, and to develop a practical and skilled mechanic versed in the theory and practice of the trade. He/She shall also perform such other duties in the shop and on the job as are commonly related to an apprenticeship in this trade.

Work in the carpet, linoleum, vinyl and resilient tile "trade" is varied to the extent that a majority of the shops do not have all the work opportunities for the apprentice which will prepare the apprentice to participate in all phases of the trade if given the opportunity. Following is an outline of the work experience necessary for a bona fide apprenticeship and shall be followed insofar as conditions will warrant.

<u>A. Carpet, Linoleum, and Soft Tile Layers:</u>	<u>Approximate Hours</u>
1. Tools, material and equipment	500
2. Floors: Preparation, conditioning Walls: Preparation, Conditioning	700
3. Cementing: Felt, waterproof, emulsion, latex, epoxy, etc.	700
4. Sheet Vinyl: Inlaids, solid vinyls, wall coverings, stairtreads, and rubber skirting.....	800
5. Tile: Vinyl composition tile, rubber tile, rubber base, vinyl base, sheet rubber flooring.....	800
6. Drainboards: Plastic, laminate, Sheet vinyl, rubber, metals and trims, layout	800
7. Wall coverings: Sheet vinyl, cork, ceramic, Formica, Imitation marble	500
8. Carpets: Cutting and matching, straight sew, hand binding, capping, circular stairs, power stretch, kickers	1700

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9.	Metals: Care, handling, installations	200
10.	Public relations.....	500
11.	Flooring Removal - equipment, disposal, methods	800
TOTALS		8000

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IX. RELATED/SUPPLEMENTAL INSTRUCTION:

The apprentice must attend related/supplemental instruction. Time spent in related/supplemental instruction will not be considered as hours of work, and the apprentice is not to be paid for time so spent, unless otherwise stated in these Standards.

The sponsor/training agent must provide for instruction of the apprentice during the related/supplemental instruction in safe and healthful work practices in compliance with the Washington Industrial Safety and Health Act, and applicable federal and state regulations.

In case of failure on the part of any apprentice to fulfill this obligation, the sponsor has authority to take disciplinary action (see Administrative/Disciplinary Procedures section).

Clock hours of actual attendance by the apprentice in related/supplemental instruction classes at the community/technical college or other approved training locations shall be reported to L&I on a quarterly basis for verifying attendance and industrial insurance purposes.

For industrial insurance purposes, the WSATC will be considered as the employer should any apprentice, not being paid to attend, sustain an injury while participating in related/supplemental classroom activity, or other directly related activity outside the classroom. The activities must be at the direction of the instructor.

The methods of related/supplemental training must consist of one or more of the following:

- ☒ Supervised field trips
- ☒ Approved training seminars
- ☐ A combination of home study and approved correspondence courses
- ☐ State Community/Technical college
- ☐ Private Technical/Vocational college
- ☐ Training trust
- ☒ Other (specify): **Classroom training at sponsor's locations.**

144 Minimum RSI hours per year, (see WAC 296-05-305(5))

Additional information:

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NONE

X. ADMINISTRATIVE/DISCIPLINARY PROCEDURES:

Sponsors may include in this section requirements and expectations of the apprentices and training agents and an explanation of disciplinary actions that may be imposed for noncompliance. The sponsor has the following disciplinary procedures that they may impose: Disciplinary Probation, Suspension, or Cancellation.

Disciplinary Probation: A time assessed when the apprentice's progress is not satisfactory. During this time the program sponsor may withhold periodic wage advancements, suspend or cancel the apprenticeship agreement, or take further disciplinary action. A disciplinary probation may only be assessed after the initial probation is completed. During the disciplinary probation, the apprentice has the right to file an appeal of the committee's action with the WSATC (as described in WAC 296-05-009).

Suspension: A suspension is a temporary interruption in progress of an individual's apprenticeship program that may result in the cancellation of the Apprenticeship Agreement. Could include temporarily not being allowed to work, go to school or take part in any activity related to the Apprenticeship Program until such time as the Apprenticeship Committee takes further action.

Cancellation: Refers to the termination of an apprenticeship agreement at the request of the apprentice, supervisor, or sponsor. (as described in WAC 296-05-009).

A. General Procedures:

None

B. Local Apprenticeship Committee Policies:

None

C. Complaint and Appeal Procedures:

All approved programs must establish procedures explaining the program's complaint review process. Complaints that involve matters covered by a collective bargaining agreement are not subject to the complaint review procedures in this section.

Complaint (after initial probation completed) – WAC 296-05-009 and 296-05-316(21)

Prior to: 20 days of intention of disciplinary action by a committee/organization

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- Committee/organization must notify the apprentice in writing of action to be taken
- Must specify the reason(s) for discipline, suspension, or cancellation
- Decision will become effective immediately
- Written reason(s) for such action will be sent to the apprentice

Within: 30 days request for reconsideration from the committee

- Apprentice to request local committee to reconsider their action

Within: 30 days of apprentice's request for reconsideration

- Local committee/organization must provide written notification of their final decision

If apprentice chooses to pursue the complaint further:

Within: 30 days of final action

- Apprentice must submit the complaint in writing to the supervisor (L&I)
- Must describe the controversy and provide any backup information
- Apprentice must also provide this information to the local committee/organization

Within: 30 days for supervisor to complete investigation

- If no settlement is agreed upon during investigation, then supervisor must issue a written decision resolving the controversy when the investigation is concluded

If the apprentice or local committee/organization disputes supervisor decision:

Within: 30 days of supervisor's decision, request for WSATC hearing

- Request must be in writing
- Must specify reasons supporting the request
- Request and supporting documents must be given to all parties
- WSATC must conduct the hearing in conjunction with the regular quarterly meeting

Within: 30 days after hearing

- WSATC to issue written decision

XI. COMMITTEE – RESPONSIBILITIES AND COMPOSITION

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NOTE: The following is an overview of the requirements associated with administering an apprenticeship committee and/or program. These provisions are to be used with the corresponding RCW and/or WAC.

The sponsor is the policymaking and administrative body responsible for the operation and success of this apprenticeship program. A committee is responsible for the day-to-day operations of the apprenticeship program and they must be knowledgeable in the process of apprenticeship and/or the application of Chapter 49.04 RCW and Chapter 296-05 WAC. Sponsors must develop procedures for:

A. Committee Operations (WAC 296-05-316): (Not applicable for Plant Programs)

Convene meetings at least three times per year of the program sponsor and apprenticeship committee attended by a quorum of committee members as defined in the approved Standards. If the committee does not indicate its definition of quorum, the interpretation will be "50% plus 1" of the approved committee members. Conference call meetings may be conducted in lieu of regular meetings but must not exceed the number of attended meetings and no disciplinary action can be taken during conference call meetings.

B. Program Operations (Chapter 296-05 WAC - Part C & D):

1. The sponsor will record and maintain records pertaining to the local administration of the apprenticeship program and make them available to the WSATC or its representative on request.

Records required by WAC 296-05-400 through 455 (see Part D of Chapter 296-05 WAC) will be maintained for five (5) years; all other records will be maintained for three (3) years.

2. The sponsor will submit to L&I through the assigned state apprenticeship coordinator the following list:

Forms are available on line at <http://www.LNI.wa.gov/scs/apprenticeship> or from your assigned apprenticeship coordinator.

- Apprenticeship Agreement Card – within first 30 days of employment
- Authorization of Signature - as necessary
- Authorized Training Agent Agreements (committee approving or canceling) – within 30 days
- Apprenticeship Committee Meeting Minutes – within 30 days of meeting (not required for Plant program)
- Change of Status – within 30 days of action by committee, with copy of minutes
- Journey Level Wage – at least annually, or whenever changed
- Revision of Standards and/or Committee Composition - as necessary
- RSI (Quarterly) Reports:
1st quarter: January through March, by April 10

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2nd quarter: April through June, by July 10
3rd quarter: July through September, by October 10
4th quarter: October through December, by January 10

3. Adopt, as necessary, local program rules or policies to administer the apprenticeship program in compliance with these Standards that must be submitted for L&I approval and updating these Standards. The L&I apprenticeship program manager may administratively approve requests for revisions in the following areas of the Standards:
 - Program name
 - Section III: Conduct of Program Under Washington Equal Employment Opportunity Plan
 - Section VII: Apprentice Wages and Wage Progression
 - Section IX: Related/Supplemental Instruction
 - Section XI: Committee - Responsibilities and Composition (including opening statements)
 - Section XII: Subcommittees
 - Section XIII: Training Director/Coordinator

C. Management of Apprentices:

1. Each apprentice (and, if under 18 years of age, the parent or guardian) will sign an apprenticeship agreement with the sponsor, who will then register the agreement, with L&I before the apprentice attends the related/supplemental instruction classes, or within the first 30 days of employment as an apprentice. For the purposes of industrial insurance coverage and prevailing wage exemption under RCW 39.12.021, the effective date of registration will be the date the agreement is received by L&I.

L&I must be notified within 30 days of program approval, of all requests for disposition or modification of agreements, with a copy of the committee minutes approving the changes, which may be:

- Certificate of completion
 - Additional credit
 - Suspension (i.e. military service or other)
 - Reinstatement
 - Cancellation and/or
 - Corrections
2. Rotate apprentices in the various processes of the skilled occupation to ensure the apprentice is trained to be a competent journey-level worker.
 3. Periodically review and evaluate apprentices before advancement to the apprentice's next wage progression period. The evidence of such advancement will be the record of the apprentice's progress on the job and during related/supplemental instruction.

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4. The sponsor has the obligation and responsibility to provide, insofar as possible, continuous employment for all apprentices in the program. The sponsor may arrange to transfer an apprentice from one training agent to another, or to another sponsor when the sponsor is unable to provide reasonably continuous employment, or they are unable to provide apprentices the diversity of experience necessary for training and experience in the various work processes as stated in these Standards. The new sponsor or training agent will assume all the terms and conditions of these Standards. If, for any reason, a layoff of an apprentice occurs, the apprenticeship agreement will remain in effect unless canceled by the sponsor.
5. An apprentice who is unable to perform the on-the-job portion of apprenticeship training may, if the apprentice so requests and the sponsor approves, participate in related/supplemental instruction, subject to the apprentice obtaining and providing to the sponsor written requested document/s for such participation. However, time spent will not be applied toward the on-the-job portion of apprenticeship training.
6. Hear and adjust all complaints of violations of apprenticeship agreements.
7. Upon successful completion of apprenticeship, as provided in these Standards, and passing the examination that the sponsor may require, the sponsor will recommend that the WSATC award a Certificate of Completion of Apprenticeship. The program will make an official presentation to the apprentice that has successfully completed his/her term of apprenticeship.

D. Training Agent Management:

1. Offer training opportunities on an equal basis to all employers and apprentices. Grant equal treatment and opportunity for all apprentices through reasonable working and training conditions and apply those conditions to all apprentices uniformly. Provide training at a cost equivalent to that incurred by currently participating employers and apprentices. Not require an employer to sign a collective bargaining agreement as a condition of participation.
2. Determine the adequacy of an employer to furnish proper on-the-job training in accordance with the provisions of these Standards. Require all employers requesting approved training agent status to complete an approved training agent agreement and comply with all federal and state apprenticeship laws and the appropriate apprenticeship Standards.
3. Submit approved training agent agreements to the department with a copy of the agreement and/or the list of approved training agents within thirty days of committee approval. Submit rescinded approved training agent agreements and/or the list of approved training agents to the department within thirty days of said action.

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E. Composition of Committee: (see WAC 296-05-313)

Apprenticeship committees must be composed of an equal number of management and non-management representatives composed of at least four members but no more than twelve. If the committee does not indicate its definition of a quorum, the interpretation will be "50% plus 1" of the approved committee members.

Apprenticeship committees shall elect a chairperson and a secretary who shall be from opposite interest groups, i.e., chairperson-employers; secretary-employees, or vice versa; EXCEPT, this does not apply where the Registration Agency represents the apprentice(s).

For plant programs the WSATC or the department designee will act as the employee representative.

Quorum: A quorum shall be 50% + 1 of the committee members, 2 of which are employee representatives.

Program type administered by the committee: **GROUP NON-JOINT**

The employer representatives shall be:

Kris Alberti, Secretary
NICA
PO Box 207
Ephrata, WA 98823

Geno Godfrey
Godfrey Enterprises
PO Box 219
Soap Lake, WA 98851

The employee representatives shall be:

Reuben Fischer, Chairman
3001 S 288th No. 386
Federal Way, WA 98003

Clint Messenger
1714 116th Dr NE
Lake Stevens, WA 98258

XII. SUBCOMMITTEE:

Subcommittee(s) approved by L&I, represented equally from management and non-management, may also be established under these Standards, and are subject to the main committee. All actions of the subcommittee must be approved by the main committee.

None

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XIII. TRAINING DIRECTOR/COORDINATOR:

The sponsor may employ a person(s) as a full or part-time training coordinator(s)/training director(s). This person(s) will assume responsibilities and authority for the operation of the program as are delegated by the sponsor.

Kris Alberti, Coordinator
NICA
PO Box 207
Ephrata, WA 98823